

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 761
OFFERED BY M . _____

Strike all after the enacting clause and insert the following:

1 **SEC. 1. SHORT TITLE.**

2 This Act may be cited as the “Corey Shea Act”.

3 SECTION 2. INTERMENT IN NATIONAL CEMETERIES OF
4 PARENTS OF CERTAIN DECEASED VETERANS.

(a) INTERMENT OF PARENTS OF CERTAIN DE-
CEASED VETERANS.—Section 2402 of title 38, United
States Code, is amended—

8 (1) In the matter preceding paragraph (1), by
9 striking “Under such regulations” and inserting
10 “(a) Under such regulations”;

(2) by moving the margins of paragraphs (1) through (8) two ems to the right;

(3) by inserting after paragraph (8) the following new paragraph:

“(9)(A) The parent of a person described in subparagraph (B), if the Secretary determines that there is available space at the gravesite where the person described in subparagraph (B) is interred.

1 “(B) A person described in this subparagraph
2 is a person described in paragraph (1) who—

3 “(i) is a hostile casualty or died from a
4 training-related injury;

5 “(ii) is interred in a national cemetery; and

6 “(iii) at the time of the person’s parent’s
7 death, did not have a spouse, surviving spouse,
8 or child who is buried or who, upon death, may
9 be eligible for burial in a national cemetery pur-
10 suant to paragraph (5).”; and

11 (4) by adding at the end the following new sub-
12 section:

13 “(b) For purposes of this section:

14 “(1) The term ‘parent’ means a biological fa-
15 ther or a biological mother or, in the case of adop-
16 tion, a father through adoption or a mother through
17 adoption.

18 “(2) The term ‘hostile casualty’ means a person
19 who, as a member of the Armed Forces, dies as the
20 direct result of hostile action with the enemy, while
21 in combat, while going to or returning from a com-
22 bat mission if the cause of death was directly related
23 to hostile action, or while hospitalized or undergoing
24 treatment at the expense of the United States for in-
25 jury incurred during combat, and includes a person

1 killed mistakenly or accidentally by friendly fire di-
2 rected at a hostile force or what is thought to be a
3 hostile force, but does not include a person who dies
4 due to the elements, a self-inflicted wound, combat
5 fatigue, or a friendly force while the person was in
6 an absent-without-leave, deserter, or dropped-from-
7 rolls status or was voluntarily absent from a place
8 of duty.

9 “(3) The term ‘training-related injury’ means
10 an injury incurred by a member of the Armed
11 Forces while performing authorized training activi-
12 ties in preparation for a combat mission.”.

13 (b) GUIDANCE REQUIRED.—The Secretary of Vet-
14 erans Affairs, in consultation with the Secretary of De-
15 fense, shall develop guidance under which the parent of
16 a person described in paragraph (9)(B) of subsection (a)
17 of section 2402 of title 38, United States Code, may be
18 designated for interment in a national cemetery under that
19 section.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply with respect to the death, on or
22 after the date of the enactment of this Act, of the parent
23 of a person described in section 2402(a)(9)(B) of title 38,

- 1 United States Code, as added by subsection (a), who dies
- 2 on or after October 7, 2001.

